

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Case No. 3:20-cv-00090
v.	)	
	)	Judge William L. Campbell, Jr.
\$21,800.00 UNITED STATES	)	
CURRENCY,	)	
	)	
Defendant.	)	
	)	
DOMINIC LYONS, Claimant	)	

Pending is Plaintiff's Second Amended Application to Clerk for Entry of Default (Doc. No. 24) pursuant to Rule 55(a) of the Federal Rules of Civil Procedure as to \$21,800.00 in United States currency.

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Here, Plaintiff filed the Verified Complaint In Rem on January 31, 2020. (Doc. No. 1). According to paralegal Deborah Krause, on February 7, 2020, the Verified Complaint In Rem, Affidavit, and Notice of Judicial Forfeiture Proceedings were served upon potential claimants Dominic Lyon<sup>1</sup> and Jessica Lyons at 804 Curtis Drive, Nashville, Tennessee 37207 by regular and certified mail as well as attorney Jacek W. Lentz at 1200 Wilshire Boulevard, Suite 406, Los Angeles, California 90017. (Doc. No. 25 at Exs. 1-2). Ms. Krause declares that the Verified Complaint In Rem, Affidavit, and Notice of Judicial Forfeiture Proceedings served on Dominic Lyon and Jessica Lyons were returned “unclaimed.” (*Id.* at Ex. 3). She further declares that the same documents sent by regular mail were not returned. (Doc. No. 25 ¶ 5).

On March 11, 2020, Dominic Lyons filed a Verified Claim asserting an interest in the Defendant property. (Doc. No. 4).

According to Ms. Krause, publication of the Notice of Judicial Forfeiture Proceedings was made online at [www.forfeiture.gov](http://www.forfeiture.gov), the official internet government forfeiture site, for 30 consecutive days beginning on February 8, 2020 and ending on March 8, 2020. (Doc. No. 25 ¶ 7).

Ms. Krause further declares that, on June 18, 2020, using a date of birth and social security number which she believed in good faith to be Jessica Lyons’s, Ms. Krause accessed the data base for the Department of Defense Manpower Data Center and was provided a Military Status Report. (Doc. No. 25 ¶ 12). According to Ms. Krause, the Military Status Report indicated that Jessica Lyons is not in the military service of the United States. (*Id.*, Ex. 5). Additionally, Ms. Krause confirms that Jessica Lyons is not a minor or incapacitated person. (Doc. No. 25 ¶ 11).

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<sup>1</sup> Ms. Krause refers to the potential claimants as Dominic Lyon and Jessica Lyons (Doc. No. 25) whereas Plaintiff’s Motion refers to these individuals as Dominic Lyons and Jessica Lyons. (Doc. No. 12). Dominic Lyons filed a Verified Claim. (Doc. No. 4).

On February 23, 2021, using a date of birth and social security number which she believed in good faith to be Dominic Lyons's, Ms. Krause accessed the data base for the Department of Defense Manpower Data Center and was provided a Military Status Report. (Doc. No. 25 ¶ 13). According to Ms. Krause, the Military Status Report indicated that Jessica Lyons is not in the military service of the United States. (*Id.*, Ex. 6). Additionally, Ms. Krause confirms that Dominic Lyons is not a minor or incapacitated person. (Doc. No. 25 ¶ 11).

More than sixty (60) days have passed since the first day of publication of the notice on the official government internet web site and no person or entity, other than Dominic Lyons, filed a claim or answer, or otherwise made an appearance in this action. The time for filing a claim pursuant to Rule G(5) of the Supplemental Rules has expired.

On February 4, 2021, this Court entered an order striking the claim filed by Dominic Lyons for failure to file an answer or to otherwise offer an explanation excusing his failure to do so. (Doc. No. 17). As a result, the Court found that Mr. Lyons lacked statutory standing to pursue a claim in this case. *Id.*

For the reasons stated herein, Plaintiff's Second Amended Application to Clerk for Entry of Default as to all persons and entities who may have an interest in \$21,800.00 United States Currency, (Doc. No. 24), is hereby **GRANTED**.

s/ Lynda M. Hill  
Lynda M. Hill  
Clerk of Court